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**Amendments to the Claims:**

This listing of claims will replace all previous versions, and listings, of claims in the application.

**Listing of Claims:**

1-38 (canceled)

39. (currently amended) A micro-machined structure for enclosing at least one MEM device, said structure comprising:  
a structure extending from a substrate and at least partially enclosing said at least one MEM device; and  
5 a cover structure residing on a portion of said substrate structure,  
a contact region, said contact region provided on said cover substrate structure, said contact region acting as a pull-back contact for a MEM device residing on said substrate; wherein said micro-machined structure defines at least one tortuous path, wherein said tortuous path provides for a removal of material residing along said ~~surface~~ substrate structure.

40. (canceled)

41. (canceled)

42. (previously presented) The invention of claim 39 wherein said contact region comprises a shielding member, said shielding member preventing passage of electromagnetic radiation.

43. (original) The invention of claim 39 further comprising a sealing member, said sealing member engaging said tortuous path such that said sealing member seals said enclosure.

44. (original) The invention of claim 43 further comprising a gaseous material provided in said sealed enclosure.

45. (original) The invention of claim 44 wherein said gaseous material comprises an inert gas.

46. (original) The invention of claim 44 wherein said gaseous material comprises an arc preventing gaseous material.

47. (original) The invention of claim 43 wherein said sealing member seals said

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enclosure in a vacuum sealed state.

48. (original) The invention of claim 39 wherein said tortuous path defines a labyrinth path.

49. (original) The invention of claim 39 further comprising a second MEM device, said second MEM device enclosed by said micro-machined structure.

50. (original) The invention of claim 39 wherein said micro-machined apparatus is an integral micro-machined structure.

51. (original) The invention of claim 39 wherein said micro-machined structure for enclosing at least one MEM device comprises diamond.

52. (currently amended) A method of fabricating a micro-machined apparatus, said method comprising the steps of :

providing a substrate;

fabricating a substrate structure, said substrate structure extending from said substrate;

5 fabricating a cover substrate structure residing on a portion of said substrate structure, said cover structure defining at least one tortuous channel, wherein said tortuous channel defines a labyrinth path; and

removing sacrificial material internal to said enclosure through said tortuous channel.

53. (original) The invention of claim 52 wherein said substrate structure comprises a vertical substrate structure.

54. (original) The invention of claim 52 further comprising the step of enclosing at least one MEM device in said micro-machined apparatus.

55. (original) The invention of claim 52 further comprising the step of enclosing a plurality of MEM devices in said micro-machined apparatus.

56. (canceled)

57. (canceled)

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